

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MICHAEL CUNNINGHAM,

Plaintiff,

v.

1:05-CV-1127

NEW YORK STATE DEPARTMENT OF LABOR;
LINDA ANGELLO, individually, and in her official
capacity for the New York State Department of
Labor; MARY HINES, individually, and in her
official capacity for the New York State
Department of Labor; PATRICIA RHODES-
HOOVER, individually, and in her official capacity
for the New York State Department of Labor,

Defendants.

APPEARANCES:

OF COUNSEL:

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JAMES J. SEAMAN, ESQ.

DAVID N. HURD
United States District Judge

ORDER

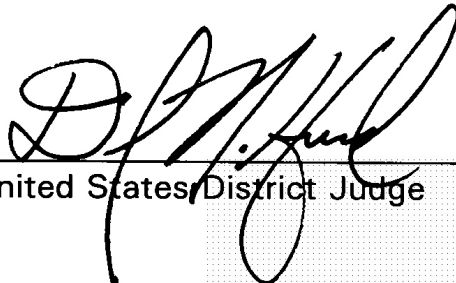
Pursuant to the oral decision of the Court, entered into the record after hearing oral
argument on January 29, 2008, in Utica, New York, it is hereby

ORDERED that

1. Defendants' motion for summary judgment is GRANTED; and
2. The complaint is DISMISSED in its entirety.

The Clerk is directed to enter judgment dismissing the complaint in its entirety.

IT IS SO ORDERED.



United States District Judge

Dated: January 29, 2008
Utica, New York.